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this book. Within a comparatively small space is here presented the various phases of jury trial, existing at different times and under different circumstances, in Athens, in Rome, in Ancient Germany, and in England, past and present.

In the treatment of such a subject, one which has been so carefully and thoroughly investigated, new material was hardly to be expected; nor, indeed, does our author pretend to any originality of research, but predicates his claim for consideration rather on originality in the treatment and presentation of data already at hand, than on bringing to light any new historical facts.

It is upon old and reliable books that he has built his labor, rather than upon the original multi-perplexed sources,—sometimes, we fear, to the exclusion of more recent, if not, as well, accepted authorities, which might better have been consulted, such as Aristotle's recently discovered treatise on the Athenian constitution. These well-established writers, before referred to, are quoted extensively, while the author's own boiling down of the information he has digested, is given a less prominent position. Occasionally, this system of excerpting leads to his falling into some slight errors, usually of collateral matter, which he had, perhaps unconsciously, transcribed from some well-known, though, in this instance, faulty authority.

The book is, on the whole, a good one, well arranged, readable and interesting, especially the last chapter, "The Present Aspect of the Jury," and giving a very satisfactory and clear notion of what is regarded, according to the most widely accepted theory, as the origin and development of the English Jury.

D. A. E.

PRINCIPLES OF CONTRACTS. By Sir Frederick Pollock, Bart. Sixth Edition. London: Stevens and Sons. 1894. 7vo. pp. xlviii. 760.

While new editions of law books are very apt in many cases to consist of the old material, with insertions and notes by the editor which hardly add to the value of the text, in this, the sixth edition of Sir Frederick Pollock's work on contracts, a book too well known to require comment, we have a refreshing exception to the usual rule. The passages on the history of the action of Assumpsit and the doctrine of Consideration, although substantially the same as in the past, have been both revised and improved, while the paragraphs on agreements in restraint of trade have been to some extent rewritten, "in consequence," our author explains, "of the series of important judgements delivered in the court of appeals within the last few years, in cases of that class."

As no part of the law of contracts is more transitional and prone to new development than that which deals with agreements against public policy, those in restraint of trade in particular, this addition to the book is both valuable and necessary, showing as it does the expansion of that doctrine in the past few years. The other changes, too, although made in a more settled part of the law, and presenting rather new treatment of old subjects than any recent legal development, are both interesting and instructive. The history of the action of Assumpsit is laid down according to the best and most recent research, and various decisions and doctrines in the law of Consideration have been reconsidered in the light of more recent criticism. These improvements, although necessarily re-

stricted in scope, are, nevertheless, important ones, and add much to the value of the book to all careful students of the law.

As practically the same law of contracts prevails on either side of the ocean, this volume will probably be used here as well as in England, superseding the "American" as well as other earlier editions, and ranking even higher than previously in the legal world.

D. A. E.

A SELECTION OF CASES AND OTHER AUTHORITIES UPON CRIMINAL LAW.

By Joseph Henry Beale, Jr., Assistant Professor of Law in Harvard University. Cambridge: Harvard Law Review Publishing Association. 1894. 8vo. pp. 983.

These cases are selected and edited after the manner of other collections of the kind in use in the Harvard Law School. That is, they consist not merely of leading cases and authorities for what is law, but also of many decisions whose authority may be questioned, or rejected altogether. The object is not simply to furnish a systematic outline of the law itself, but to train the student to do sound legal reasoning for himself. They are accordingly used to best advantage with the aid of a teacher. That does not mean, however, that the teacher is confined to one method of instruction. The case-method is not a method of instruction, but of study. Most of the objections to it would vanish if this fact were more clearly appreciated.

A few of these cases, decided during the first ten years of James I., are now printed for the first time, being taken from an old manuscript presented to the Harvard Law School in 1835, by J. J. Wilkinson, Esq., of the Temple, London.

As these cases are primarily designed for use in schools, the head notes are omitted. But a full index will make the book useful to practising lawyers.

F. B. W.

COMMENTARIES ON AMERICAN LAW. By James Kent, LL. D., Chancellor of the State of New York. Edited by Wm. Hardcastle Brown, Author of an Edition (*sic.*) of Blackstone's Commentaries, etc. St. Paul, Minn: West Publishing Co. 1894. 8vo. pp. xv. 926.

Every lawyer knows the present bulk of Kent's Commentaries and the way in which the text is overlaid, even smothered, with notes. Feeling that the student is somewhat overtaxed thereby Mr. Browne has discarded the notes; and feeling that the well rounded periods of the great American Chancellor are too diffuse for some students of to-day who want before all things brevity, Mr. Browne has gone over the text itself with an unsparing hand, making almost every statement shorter, changing bits of the phrasing in almost every sentence, and putting in prefatory catch-words in black type, but nowhere attempting anything but condensation. Now less than nine hundred pages in this volume represent the text of all Kent's Commentaries. The student who can get from this what students have hitherto sought in the unabridged edition will save much valuable time and the purchase money of three octavo volumes. To many this will over-balance the loss of notes, though they be by Mr. Justice Holmes, and of Mr. Chancellor Kent's own graceful style.

R. W. H.